

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

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UNITED STATES OF AMERICA

v.

RALPH PETERSON

INDICTMENT NO. CR605-00009-002

ORDER

On December 7, 2005, the Court sentenced Defendant to 188 months incarceration. Defendant's applicable guideline range was 121 to 151 months; however, the Court concluded that Defendant's criminal history category significantly under-represented his prior criminal conduct and the likelihood that he would commit other crimes so the Court departed above the top end of the guideline range and imposed a sentence of 188 months. On June 23, 2008, the Court reduced Defendant's sentence to 156 months based on the retroactive crack cocaine amendment.

On July 14, 2008, Defendant filed a motion pursuant to Rule 60(a) requesting that the Court correct his sentence based on clerical mistakes made at the time of his original sentencing. The Court has carefully reviewed the original judgment in this case and no clerical mistakes were made. Defendant's original guideline range was 121 to 151 months and the Court departed above that applicable range. Likewise, when the Court reduced Defendant's sentence on June 23, 2008, the Court again departed above the amended advisory guideline range.

Based on the aforementioned, Defendant's motion is hereby **DENIED**.

SO ORDERED, this 24 day of July, 2008.

[Handwritten signature: B. Avant Edenfield]
B. Avant Edenfield
United States District Judge
For the Southern District of Georgia